

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JILL KILEY, MARCUS PAYNE, )  
BRITTNEY RELLIFORD, )  
BABATUDE OLASEINDE and )  
ROBERT FARLEY, )  
individually and on behalf of all ) Civil Action No. 2:17-cv-01756-RDP  
others similarly situated, )  
                                  )  
                                 Plaintiffs, )  
                                  )  
v. )  
                                  )  
MEDFIRST CONSULTING, LLC, )  
                                  )  
                                 Defendant. )  
                                  )  
\_\_\_\_\_

**DECLARATION OF OLENA SAVYTSKA**

Olena Savytska, being duly sworn, hereby states as follows:

1. I am an associate at the law firm of Lichten & Liss-Riordan, P.C., counsel of record for Plaintiffs in this case.
2. On October 21, 2019, our firm received calls from several opt-ins, who informed us MedFirst had ceased operations.
3. The following day, Plaintiffs' Counsel emailed Defendants' Counsel to verify this information and meet and confer on the issue. See email attached hereto as Exhibit 1. Defense Counsel's reply, which is not attached here because it discusses settlement communications, was non-responsive on this issue.
4. Attached hereto as Exhibit 2 is a true and accurate copy of the LinkedIn profile for Brian Smith.

Signed under the pains and penalties of perjury this 24 day of October, 2019.



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Olena Savytska

# Exhibit 3

**Olena Savytska**

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**From:** Olena Savytska  
**Sent:** Tuesday, October 22, 2019 11:30 AM  
**To:** Berg, John  
**Cc:** Sarah Schalman-Bergen; Harold Lichten; David Blanchard  
**Subject:** Kiley v. MedFirst

Good Morning John:

We have heard from several of our clients that MedFirst has ceased operations. Could you please let us know whether this is the case.

Thank you,

Olena

# Exhibit 4

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Brian Smith



## Brian Smith

President, CEO at MedFirst Consulting  
Birmingham, Alabama Area · 500+  
connections



MedFirst Consulting

talladega high school

[Sign in to Connect](#)

## About

A seasoned entrepreneur, my mission is to continually grow my businesses into something greater than myself & use my story to inspire others to work hard & remain resilient in the face of adversity.

I'm a self-directed learner who started with little, but through resourcefulness & big picture thinking, now own multiple million-dollar companies. I always put the needs of my customers first & through MedFirst Consulting, deploy thousands of IT healthcare consultants to assist hospital organizations with EHR implementations across the country.

I have a unique ability to get things done & make progress on multiple projects in parallel. My employees consider me to be a friendly, insightful manager with an

optimistic attitude. My dedication to the healthcare IT industry & attention to customer satisfaction has allowed me to bridge the gap between people & tech, making HIT more accessible & productive for customers.

Brian Smith

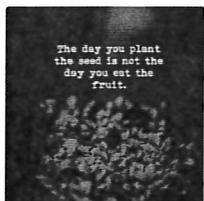
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These experiences have helped me build a foundation of success in business development and have paved the way for new opportunities in the service of others. Most recently, I've been developing a job training & skill development agency which will help people across the country connect their professional abilities to viable job opportunities. I believe learning can take place anytime, anywhere, & when people take the time to invest in themselves & others, the world becomes a better place.

My vision is to encourage & inspire positive action. I want to have a reputation as a productive & sincere team player that puts people to work in cities around the world. When I can encourage others to keep their head up & give their best no matter what, it's a good day.

## Activity



In today's society of instant gratification, thought this quote was inspiring to entrepreneurs and small business owners! A little Motivational...

Liked by Brian Smith



Physician 360 is a rapidly growing Telemedicine company and currently seeking physicians and nurse practitioners across the country. Providers will...

Liked by Brian Smith



Great example of a conference room with dual screen, under the table wiring, built in video conferencing without seeing any wires or equipment. ...

Liked by Brian Smith

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## Experience

Brian Smith

### President/CEO

MedFirst Consulting

Jan 2010 – Present · 9 years 10 months

Birmingham, Alabama Area

For over a decade, MedFirst has been in the Healthcare Information Technology field assisting hospitals of all sizes in implementing and adapting to new technologies. MedFirst was launched when Brian noticed a substantial need within the healthcare industry for people who knew technology. Healthcare organizations needed help with implementation, adoption of new technologies, and in knowing which technologies to use. Led by Brian, MedFirst grew by meeting the needs of these organizations,...

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### IT Healthcare Consultant

Brian Smith

Jan 2008 – Present · 11 years 10 months

As an IT Healthcare Consultant, Brian successfully managed Go-Live Support implementations for a range of practices.

### IT Consultant

IT Consultant

Jan 2007 – Nov 2010 · 3 years 11 months

During this three year period, Brian worked as a Cerner, Eclypsis, MEDITECH, Epic and Soarian Go-Live activation consultant, successfully activating these programs in a number of hospitals.

## Education

## talladega high school

1986 – 1990

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Brian Smith

## Projects

### **Adventist HealthCare, Gaithersburg, MD**

MedFirst Consulting assisted with Cerner Go-Lives for multiple Adventist Healthcare hospitals, including Hackettstown Regional Medical Center, Shady Grove Adventist Hospital, and Washington Adventist Hospital. Adventist Healthcare serves more than 400,000 people each year in Maryland.

### **Baptist Medical Center, Jacksonville, FL**

MedFirst implemented Cerner SurgiNet at the 844-bed Baptist Medical Center Jacksonville, a hospital performing over 10,000 inpatient surgeries annually.

### **Baylor Medical Center, Dallas, TX**

MedFirst provided 95 clinical resources for Eclypsis Go-Live Support to the flagship hospital of Baylor Health Care System, Baylor Medical Center Dallas.

### **Catholic Health Partners Toledo, Ohio**

MedFirst Consulting provided 148 consultants to support an Ambulatory Go-Live at Catholic Health Partners in Toledo, Ohio

### **Cedars-Sinai, Los Angeles, CA**

MedFirst Consulting recruited 105 Epic consultants for Go-Live Support at Cedars-Sinai Hospital in Los Angeles. Cedars-Sinai, an award-winning hospital and multi-specialty academic health science center, processes nearly 700,000 outpatient visits per year.

### **Delta Regional Center, Greenville, MS**

MedFirst provided Cerner Go-Live Support for Delta Regional Center in Mississippi, a hospital with over 90,000 outpatient visits per year.

## Excela Health, Greensburg, PA

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MedFirst administered CPOE support for Excela Health Cerner Go-Live across three acute care hospitals.  
Brian Smith

## Fremont Area Medical Center, Fremont, NE

MedFirst supplied 45 clinical resources to assist with a Cerner Go-Live at Fremont Area Medical Center. For six weeks, over 100 physicians trained with MedFirst on computerized physician order entry (CPOE).

## Reading Hospital and Medical Center, West Reading, PA

MedFirst provided 172 resources for Epic Go-Live support and ambulatory trainers for Reading Hospital and Medical Center, a general medical and surgical hospital processing over 800,000 outpatient visits, 128,000 emergency room visits, and 30,000 admissions each year.

## South Nassau Medical Center, Oceanside, New York

MedFirst provided ambulatory Go-Live Support for Allscripts at South Nassau Communities Hospital, a New York metro area hospital processing over 360,000 outpatient visits per year.

## Texas Health Resources, Dallas, TX

MedFirst Consulting provided elbow support for physician and nursing staff for 3 waves, September, October and December 2012 at numerous Texas Health hospitals. Texas Health is one of the largest health care delivery systems in the United States, with over 5,500 physicians on staff.

## UAB Medical Center, Birmingham, AL

MedFirst provided Cerner Go-Live support for the nationally ranked UAB Medical Center. One of the largest academic medical centers in the nation, UAB employees over 16,000 and processes over 1.2 million patient visits per year.

University of Illinois Hospital & Health Sciences System, Chicago, IL [Join now](#) [Sign in](#)

MedFirst administered ambulatory Go-Live Support for all of the University of Illinois Brian Smith healthcare clinics, including a 495-bed hospital, outpatient clinic, immediate care clinic, and twelve Mile Square health centers.

## Groups

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